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| 10/532,870 | 06/16/2006 | Hartwig Schwier | P05,0153 | 2241 |
| 26574 7590 09/22/2009 SCHIEF HARDIN, LLP PATENT DEPARTMENT 233 S. Wacker Drive-Suite 6600 CHICAGO, IL 60606-6473 | | | | |
| EXAMINER RUTLEDGE, AMELIA L. | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2176 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/532,870

Applicant(s)

SCHWIER ET AL.

Examiner

AMELIA RUTLEDGE

Art Unit

2176

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-53 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 28-53 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 27 April 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-850)
Paper No(s)/Mail Date 4/27/2005
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the following communications: original application, filed 04/27/2005; Information Disclosure Statement, filed 04/27/2005.
2. Claims 28-53 are pending. Claims 28, 50, and 53 are independent claims.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement filed 04/27/2005 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the listings under "Other Prior Art" are lacking page numbers, and the reference "Gerd Goldmann Das Druckerbuch May 2001" is in German with no translation provided.

It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the original application filed 04/27/2005, p. 2, states "Replacement sheets are provided for Figures 2 and 3 in which the legend "PRIOR ART" has been added, however, the replacement drawings do not appear in the application file.

Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 28-38 and 40-53 are rejected under 35 U.S.C. 102(e) as being anticipated by Gebert et al. ("Gebert"), U.S. Pub. No. 2002/0111963 A1, published August 2002, Appl. No. 09/782,850 filed February 2001.

Regarding independent claim 28, Gebert teaches *a method for conversion of an input document data stream that corresponds to one of many possible input data formats into an output document data stream that corresponds to one of many possible input data formats, comprising the steps of: converting the input document data stream into an internal data format*; because Gebert teaches converting a source document in a first presentation language to a result document in a second presentation language (par. 0012-0016).

Gebert teaches *adding as needed document formatting information that establishes a representation of the data in the output format to the data in the internal data format*; and

converting the data into the output data format; because Gebert teaches that the page objects in the result document may be transformed into other presentation languages, including the MO:DCA architecture, page description language (PDS), i.e., PDF, post script, etc (par. 0034; par. 0030-0031). Therefore Gebert teaches creating a result document in an intermediate format, and if necessary, further transforming the result document into page objects in another presentation language.

Regarding dependent claim 29, Gebert teaches *wherein for conversion of the input document data stream into the output document data stream that corresponds to one of many possible input data formats the input document data stream is converted into an internal data format*, because Gebert teaches that the page objects in the result document may be transformed into other presentation languages, including the MO:DCA architecture, page description language (PDS), i.e., PDF, post script, etc (par.

0034; par. 0030-0031). Therefore Gebert teaches creating a result document in an intermediate format, and if necessary, further transforming the result document into page objects in another presentation language.

Gebert teaches *document formatting information that establishes how a content of the data stream in the internal data format is represented in the output data format is added as needed, controlled by a document template, to the data in the internal data format, and*

the data are output in the output data format. Gebert teaches XML formatting objects controlled by an XSL stylesheet template (par. 0025-0027), i.e., document formatting information controlled by a document template.

Regarding dependent claim 30, Gebert teaches *wherein the input document data stream is converted into an internal data format with formatted data that contain format specifications and raw data that contain no format specifications for format-adapted and speed-optimized processing of the input document data stream;* because Gebert teaches converting the pages to rasterized printer data (par. 0029), or Intelligent Printer Data Stream (IPDS) format (par. 0028) for format adapted and speed optimized processing. Also see par. 0034 where data is converted to other predetermined formats.

Regarding dependent claim 31, Gebert teaches *wherein formatting data are added to the raw data by means of predetermined rules and an output data stream that has a predetermined format is formed from the data of the internal data format;* because Gebert teaches converting the pages to rasterized printer data (par. 0029), or Intelligent

Printer Data Stream (IPDS) format (par. 0028) for format adapted and speed optimized processing. Also see par. 0034 where data is converted to other predetermined formats.

Regarding dependent claim 32, Gebert teaches *wherein the document template is formed using a design data set and the conversion into the internal data format occurs via rules that use the design data set*; because Gebert teaches defining a layout master set that includes one or more templates (par. 0023-0024).

Regarding dependent claim 33, Gebert teaches *wherein the document template is generated using free programmed static or dynamic elements*; because Gebert teaches DHTML, Dynamic Hypertext Mark-Up language, which includes dynamic elements (par. 0044). Gebert also teaches a different presentation language to generate the template (par. 0026-0027).

Regarding dependent claim 34, Gebert teaches *wherein types are associated per field with a design data set in a first preparatory design phase, whereby formatting instructions are associated with a first type group and no formatting is associated with a second type group, and whereby in a second, productive processing phase all data sets of the input document data stream are examined by type, and data that are associated with the first type group are additionally formatted and data that are associated with the second type group receive no additional formatting*; because Gebert teaches formatting some page objects, and that certain of the layout and formatting information may not map to the active environment group, but may be included in the page content, such as the XML code (par. 0027).

Regarding dependent claim 35, Gebert teaches *wherein a freely definable rule file is formed in a design phase, mapping rules of which rule file are automatically derived or derived such that they are freely editable from the design set, from the input document data, or from other rules from auxiliary files*, because Gebert teaches using an XSL style sheet to transform an XML source document including XSL formatting objects, therefore Gebert discloses mapping formatting rules in a design phase (par. 0023-0024).

Regarding dependent claim 36, Gebert teaches *wherein assembly of formatting rules occurs during a design time*, because Gebert teaches using an XSL style sheet to transform an XML source document including XSL formatting objects, therefore Gebert discloses mapping formatting rules in a design phase (par. 0023-0024).

Regarding dependent claim 37, Gebert teaches *wherein formatted data are converted into a device-specific output data format*; because Gebert teaches converting the pages to rasterized printer data (par. 0029), or Intelligent Printer Data Stream (IPDS) format (par. 0028) for format adapted and speed optimized processing. Also see par. 0034 where data is converted to other predetermined formats.

Regarding dependent claim 38, Gebert teaches *wherein a normalized data stream or a formatted data stream are device-specifically optimized in the processing*; because Gebert teaches converting the pages to rasterized printer data (par. 0029), or Intelligent Printer Data Stream (IPDS) format (par. 0028) for format adapted and speed

optimized processing. Also see par. 0034 where data is converted to other predetermined formats.

Regarding dependent claim 40, Gebert teaches *wherein pre-formatted data are processed in a first formatting stage and raw data are processed in a second processing state*; because Gebert teaches that the page objects in the result document may be transformed into other presentation languages, including the MO:DCA architecture, page description language (PDS), i.e., PDF, post script, etc (par. 0034; par. 0030-0031). Therefore Gebert teaches creating a result document in an intermediate format, and if necessary, further transforming the result document into page objects in another presentation language.

Regarding dependent claim 41, Gebert teaches wherein the raw data are used multiple times in components in the second processing stage (par. 0025-0026; par. 0023).

Regarding dependent claim 42, Gebert teaches wherein a component comprises graphical elements or indexing information (par. 0023).

Regarding dependent claim 43, Gebert teaches wherein the document formatting information comprises paper reproduction information (par. 0023).

Regarding dependent claim 44, Gebert teaches wherein the document formatting information comprises print pre- or post-processing information (par. 0023).

Regarding dependent claim 45, Gebert teaches wherein the input data stream comprises an SAP/RDI data stream, a line data stream, or a metacode data stream (par. 0025).

Regarding dependent claim 46, Gebert teaches *wherein the output document data stream comprises an Advanced Function Presentation data stream in which a first group of formatting information is provided via a pagedef file and a second group of formatting information is contained in the input document data stream or in a normalized raw data stream*; because Gebert teaches converting page objects into a device independent page description language (PDL) data stream, and then perform a further transform from the PDL data stream to printer ready raster data in a manner known in the art (par. 0035-0036).

Regarding dependent claim 47, Gebert teaches wherein activation signals for a display medium or a computer comprising a display medium are formed from a normalized output document data stream (par. 0044).

Regarding dependent claim 48, Gebert teaches wherein the output document data stream is represented on a display medium, and can be edited such that effected changes change a document template and thus retroact on an un rastered output document data stream, because Gebert teaches rasterizing the data stream at different times during transmission (par. 0045; 0035-0036).

Regarding dependent claim 49, Gebert teaches wherein the output document data stream is output to an e-mail system, a fax device, or an Internet server (par. 0049; 0044; 0038).

Regarding independent claim 50, claim 50 is directed to the system for implementing the methods claimed in independent claim 28, and is rejected along the same rationale.

Regarding dependent claim 51, Gebert teaches a data processing system (par. 0022).

Regarding dependent claim 52, Gebert teaches a data processing printing system (par. 0022).

Regarding independent claim 53, claim 53 is directed to the computer program product for implementing the methods claimed in independent claim 28, and is rejected along the same rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gebert.

Regarding dependent claim 39, Gebert does not explicitly teach *wherein the input data format, the output data format, or the document formatting information to be added are selectable*, however, Gebert does disclose an implementation using a printer

driver (par. 0022). It would have been obvious to one of ordinary skill in the art at the time of the invention that the input data format, output data format, and document formatting information could be selectable, because at the time of the invention, printer drivers allowed the user to select document formatting information and data formats, therefore it would have been obvious and desirable to combine the prior art elements of document format conversion and printer driver to achieve predictable results.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Murata, "File format for documents containing both logical structures and layout structures", Electronic Publishing, Vol. 8(4), p. 295-317, December 1995.

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|--------------------------|-------------------------------------|---------------|----------------------|
| Cyman, Jr. et al. | U.S. Patent No. 5,845,302 | issued | December 1998 |
| Warmus et al. | U.S. Patent No. 6,205,452 B1 | issued | March 2001 |
| Bondy et al. | U.S. Patent No. 7,142,326 B2 | issued | November 2006 |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMELIA RUTLEDGE whose telephone number is (571)272-7508. The examiner can normally be reached on Monday - Friday 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amelia Rutledge/

Primary Examiner, Art Unit 2176